

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KAMLESH BANGA,
Plaintiff,
v.
EQUIFAX INFORMATION SERVICES, LLC,
et al.,
Defendants.

No. C-08-3015 MMC

**ORDER AFFORDING DEFENDANTS
OPPORTUNITY TO FILE REPLIES;
CONTINUING AUGUST 21, 2009
HEARINGS; DENYING DEFENDANT
EQUIFAX'S MOTION TO APPEAR
TELEPHONICALLY**

Before the Court are defendants Equifax Information Services, LLC's ("Equifax") and National Credit Union Administration's ("NCUA") motions for summary judgment, each filed July 17, 2009 and noticed for hearing on August 21, 2009; plaintiffs' oppositions to such motions, filed August 6, 2009 and August 7, 2009, respectively; and NCUA's objection to plaintiff's opposition, filed August 11, 2009, on the ground such opposition was untimely. See Civ. L.R. 7-3(a) (providing "[a]ny opposition to a motion must be served and filed not less than 21 days before the hearing date").

Equifax has not objected to the late filing of plaintiff's opposition to Equifax's motion, and given plaintiff's explanation that she did not receive such motion until July 23, 2009 (see Banga Decl. in Opp'n to Equifax's Mot. ¶ 3), the Court will accept the late filing of plaintiff's opposition thereto. In light of such ruling, Equifax may file, no later than August 20, 2009, a reply to plaintiff's opposition.

1 Although plaintiff has not provided an explanation for the late filing of her opposition
2 to NCUA's motion, the Court, given that such motion raises, in part, similar issues to those
3 raised in Equifax's motion, likewise will accept the late filing of plaintiff's opposition to
4 NCUA's motion and will afford NCUA the opportunity to file, no later than August 20, 2009,
5 a reply thereto.

6 In light of the above extensions, the August 21, 2009 hearings on the motions are
7 hereby CONTINUED to August 28, 2009.

8 Finally, the Court addresses Equifax's motion, filed August 7, 2009, to appear
9 telephonically at the above-referenced hearings. As the Court does not allow telephonic
10 appearances at hearings on contested dispositive motions, said request is hereby DENIED.

11 **IT IS SO ORDERED.**

12
13 Dated: August 13, 2009


MAXINE M. CHESNEY
United States District Judge